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9 Attorneys for Plaintiff
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JENNY WOLFES,) CASE NOS. C07 00696 RMW
12) C07 04657 RMW
13 Plaintiff,)
14 vs.)
15 BURLINGTON INSURANCE COMPANY)
16 AND DOES 1 to 25, Inclusive,)
17 Defendants.)
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I, Gerald A. Emanuel, declare as follows:

1. I, Gerald A. Emanuel, am an attorney with the law firm of Hinkle, Jachimowicz, Pointer & Emanuel, counsel for Plaintiff, Jenny Wolfes ("Wolfes"), in the above-captioned actions.
2. I am over the age of 18 years, and I have personal knowledge of the facts set forth below and, if called upon to testify on such matters, I would and could do so competently.
3. At no time have I ever stated to Burlington's former counsel, Richard C. Rey, II, that this action was filed because Wolfes would be unable to obtain leave to amend the complaint in the action *Jenny Wolfes v. Burlington Insurance Company*, case number C07-00696 RMW ("the Declaratory Relief Action").

1 4. I further deny ever saying anything that could remotely be construed to carry the
2 meaning that this action was filed because Wolfes would be unable to obtain leave to
3 amend the complaint in the Declaratory Relief Action.

4 I declare, under the penalty of perjury under the laws of the State of California and the laws of
5 the United States, that the foregoing is true and correct. Executed this 22nd day of February,
6 2008, at San Jose, California.

7 /s Gerald A. Emanuel

8 Gerald A. Emanuel

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